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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX: AMENDMENT (PATENTS)

Applicants: Henshaw, Wayne J.; Mahendran, M.;
and Behmann, Henry.
Application's Title: VERTICAL SKEIN OF HOLLOW FIBER MEMBRANES etc.
Serial No.: 09/621,234
Filed: July 20, 2000
Group Art Unit: 1723 Examiner: ANA FORTUNA
Docket No.: ZEN-9501-A-RE

31 December 2001

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231.

Sir:

This is in response to the office action mailed 02 October 2001.

The rejected claims 15-18 are presented in the Appendix hereto, without the underlining, so as to be able to read the text more easily. These claims were formally presented in the previous amendment, with underlining as required for a reissue application.

REMARKS

The rejection of claims 15 -18 as being an improper recapture of broadened claimed subject matter surrendered in the application (09/690,045) for the patent (U.S. 5,783,083) upon which the present reissue is based, is respectfully traversed.

There is no argument that, should patentees attempt to regain, through reissue, the subject matter that they surrendered in an effort to obtain allowance of the original claims, then they should be barred from doing so. This is clearly not the case in this instance for the reasons set forth below.

The office action states: